

GOVERNMENT OF TELANGANA
A B S T R A C T

Scheduled Castes Development Department –Land Acquisition for House Sites - Adilabad District- Kothapet (V) Kagaznagar (M) - Acquisition of Land to an extent of Ac 17.19 gts. in Survey No.90 for providing house sites to the weaker sections – Sanction of Rs.52,79,312/- towards half of the decretal charges in L.A.A.S.No 1076 of 2011 in O.P.No.58/2000 – Orders - Issued.

SCHEDULED CASTES DEVELOPMENT (BUD.LA) DEPARTMENT

G.O.Rt.No.468

Dated: 07.12.2015.
Read the following:

1. From the District Collector, Adilabad, Lr.No.LA2/455/2013, dated: 08.01.2014.
2. From the Director, Scheduled Castes Development Department, Telangana, Hyderabad, Lr.No.LA.1/6714/2013, dated: 01.02.2014.
3. From the Spl.CS to Government &CCLA, Telangana, Hyderabad, Lr.No. LA-II/157/2014, dated: 11.09.2014

ORDER:

In the reference 3rd read above the Chief Commissioner of Land Administration & Special Chief Secretary, Hyderabad has informed that the District Collector, Adilabad has submitted the proposals to the Commissioner of Social Welfare, Hyderabad for sanction of decretal charges in O.P.No.58/2000 towards the land acquired for providing House sites to the weaker sections of the society under Indiramma Housing Programme in Sy.No.90 to an extent of Ac.17.19 gts situated at Kothapet Village, Khagaznagar Mandal of Adilabad. The District Collector has submitted that the Land Acquisition Officer, Asifabad has acquired the land and passed Award vide Proc.No.B/181/96, dated: 16.12.1996 by fixing Market value of Rs.49,000/- per acre. Aggrieved by this, the Land losers (awardees) have filed a petition U/s 18 of the L.A.Act, before the Court of Senior Civil Judge, Asifabad and the Hon'ble Court has passed the orders on 22.12.2010 in O.P.No.58/2000 by enhancing the acquired the Land value @ of Rs.2,00,000/- per Acre.

2. The Land Acquisition Officer has filed a petition under section 151 of CPC before the Hon'ble High Court of Andhra Pradesh pleaded to grant stay of all further proceedings pursuance to the order and decree, dated: 22.12.2010 rendered in OP.No.58 of 2000 on the file of the Senior Civil Judge, Asifabad including the Executing Proceedings in EP.No.10 of 2012 and 11/2012 in O.P.No.58 of 2000 on the file of the same Court, pending disposal of LAAS No.1076 of 2011 on the file of the High Court. The Hon'ble High Court Made the following order:

"Heard.

In the facts and circumstances of the case, there shall be interim stay of execution of order and decree, dated: 22.12.2010, passed in OP.No.58 of 2000, by the Senior Civil Judge, Asifabad on condition of depositing 50% of the amount awarded by the trial court along with costs and interest within eight (8) weeks from today, failing which the stay granted shall automatically stand vacated without any further reference to this Court. On such deposit, the respondents/claimants are permitted to withdraw the amount"

3. The Chief Commissioner of Land Administration, Telangana has further stated that, the Advocate General, High Court, A.P., Hyderabad vide his Lr.No.66/2013, dated: 24.06.2013 advised to take steps to comply with the order within the time stipulated by the Court.

4. The Land Acquisition Officer has filed another Petition (LAAS MP.No.1203 of 2013 in LAAS.MP.No. 1609 of 2012 in LAAS.No. 1076 of 2011) under Section 148 of C.P.C. praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to extend the time by a (eight) more weeks to comply with the interim order dated 24-6-2013 made in LAAS.MP.No.1609 of 2012 in LAAS.No.1076 of 2011. The Hon'ble Court made the following Order:

"Having heard the learned counsel for both the parties and having regard to the facts and circumstances explained in the affidavit filed in support of the application that the time for complying with the order dated 24-06-2013 is extended by eight (8) weeks from today.

It is made clear that no further extension would be granted and in the event of failure to comply with the order, the interim stay shall stand vacated without further reference to the Court"

[P.T.O]

5. Thereafter, the District Collector, Adilabad in his Lr.No.LA2/455/2013, dated: 08.01.2014 has submitted the proposals to the Commissioner of Social Welfare, Hyderabad for sanction of 50% of the decretal charges for an amount of Rs.52,79,312/- as per orders of the Hon'ble Court in LAAS No.1076/2011 in O.P.No.58/2000.

6. The Chief Commissioner of Land Administration, Telangana State has verified and scrutiny the calculation made by the District Collector, Adilabad and sent a comparative calculation sheet along with interest and arrived at Rs.52,79,312/- (Rupees Fifty Two Lakhs Seventy Nine thousand Three Hundred and Twelve only). As such the Chief Commissioner of Land Administration has requested the Government to release of 50% of the decretal charges for an amount of Rs.52,79,312/- as per the orders of Hon'ble Court in LAAS No.1076/2011 in O.P.No.58/2000.

7. Government, after careful examination of the above proposal, hereby permit the Director, Scheduled Castes Development Department, Telangana State, Hyderabad for release of an amount of Rs.52,79,312/- (Rupees Fifty Two Lakhs Seventy Nine thousand Three Hundred and Twelve only) to the District Collector, Adilabad District towards payment of 50% decretal charges in LAAS No.1076/2011 in O.P.No.58/2000, for the land acquired for providing house sites to the weaker section people to an extent of Ac.17-19 gts in Sy.No.90 situated at Kothapet Village, Khagaznagar Mandal of Adilabad District.

8. The expenditure sanctioned in para (5) above shall be met within the B.E.2015-16 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01
– Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan –
SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme –
310/312 – Other Grant – in – Aid”.

9. The Director of Scheduled Castes Development Department, Telangana State Hyderabad is directed to issue necessary Proceedings to the District Collector, Adilabad to comply with the Court orders in LAAS No.1076/2011 in O.P.No.58/2000.

10. The District Collector, Adilabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

11. This order issues with the concurrence of Finance (EBS.III) Department, vide their U.O.No.8532/354/A2/EBS.III/2015, dated: 25.7.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

BENHUR MAHESH DUTT EKKA
SECRETARY TO GOVERNMENT

To

The Chief Commissioner of Land Administration,
Telangana State, Hyderabad.

The Director of Scheduled Castes Development Department, Hyderabad,
The District Collector, Adilabad.

Copy to:

The Director of Treasury & Accounts, Telangana State, Hyderabad,

The Accountant General, Telangana State, Hyderabad,

The District Treasury Officer, Adilabad District.

SF/SC.

//FORWARDED: BY ORDER//

SECTION OFFICER